

ANALYSIS

This ordinance amends Title 20 of the Los Angeles County Code to require all occupied properties in the unincorporated High Desert Area of the Antelope Valley to utilize the solid waste collection services of a permitted waste collector unless a self-hauler permit is obtained. The ordinance also requires a permit to self-haul solid waste from properties in the High Desert Area to a disposal facility, and makes other, technical changes.

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JAF:gjv

02/01/06 (requested)

11/06/06 (revised)

ORDINANCE NO. _____

An ordinance amending Title 20 - Utilities of the Los Angeles County Code, relating to solid waste collection.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 20.52.050 is hereby added to read as follows:

20.52.050 Disposal of solid waste.

All solid waste collected or transported upon or along any public highway by waste collectors or self-haulers in the unincorporated area of Los Angeles County shall be transported to a solid waste facility where such waste can legally be accepted.

SECTION 2. Section 20.56.031 is hereby renumbered to be Section 20.56.035.

SECTION 3. Section 20.56.032 is hereby added to read as follows:

20.56.032 High Desert Area.

"High Desert Area" means all those unincorporated areas of the county of Los Angeles shown on the Land Use Policy Map of the Antelope Valley Area Plan, dated December 4, 1986, on file at the office of the county of Los Angeles department of regional planning, except that "High Desert Area" shall not include those areas within Edwards Air Force Base and those areas within the Angeles National Forest south of the City of Palmdale's southerly and westerly boundaries.

SECTION 4. Section 20.56.055 is hereby added to read as follows:

20.56.055 Self-hauler.

"Self-hauler" means any person who transports, conveys, hauls, and/or disposes of any rubbish, garbage, or any other solid waste accumulated or stored on property

owned or occupied by such person to another location for transfer, salvage, reclamation, or disposal.

SECTION 5. Section 20.56.110 is hereby amended to read as follows:

20.56.110 Waste collector.

"Waste collector" means ~~and is any~~ person operating one or more ~~trucks~~vehicles in the business of collecting, transporting, conveying, hauling and ~~(or)~~or disposing of any rubbish, garbage or any other solid waste from the property where such materials originate to another location, for transfer, salvage, reclamation, or disposal.

SECTION 6. Chapter 20.58 is hereby added to Title 20 - Utilities to read as follows:

Chapter 20.58

MANDATORY SOLID WASTE COLLECTION IN HIGH DESERT AREA

20.58.010 Purpose of chapter.

20.58.020 Mandatory solid waste collection.

20.58.030 Self-hauler permit requirements.

20.58.040 Violation and penalties.

20.58.050 Inspection of premises.

20.58.060 Denial or revocation of self-hauler permit.

20.58.070 Appeal of self-hauler permit denial or revocation.

20.58.010 Purpose of chapter.

It is found and determined that the unlawful disposal of solid waste is widespread in the unincorporated High Desert Area of the county of Los Angeles with associated

public health hazards, and that the required periodic collection of solid waste from all occupied properties in High Desert Area protects the health and safety of all owners and occupants of High Desert Area properties and premises, protects the environment, and improves the quality of life in the High Desert Area for all occupied properties.

20.58.020 Mandatory solid waste collection.

For all occupied properties in the High Desert Area, where the county does not otherwise provide solid waste collection services, it is mandatory for the owner and/or occupant of the property to utilize the solid waste collection services of a permitted waste collector at least once weekly or, alternatively, to obtain a self-hauler permit and transport, at least once weekly, all solid waste accumulated or stored on the property, except for inert materials as defined in Title 27, Section 20230 of the California Code of Regulations, to a solid waste facility that is legally authorized to accept such waste.

20.58.030 Self-hauler permit requirements.

A. A self-hauler permit will not be approved by the enforcement agency unless the applicant adequately documents that he or she can properly transport all solid waste accumulated or stored on property owned or occupied by the applicant in a safe and sanitary manner to an authorized solid waste facility.

B. An application for a self-hauler permit shall be submitted in accordance with Section 20.64.040 of this code and shall be accompanied by evidence of prepayment of the minimum gate fee at any authorized solid waste facility for a period of three months with a frequency of once a week.

C. All solid waste removal pursuant to a valid self-hauler permit shall be accomplished by the permittee or the permittee's employees using the permittee's own equipment.

D. Passenger motor vehicles, as defined in section 465 of the California Vehicle Code, may be used by a self-hauler to transport solid waste from a residential property to an authorized solid waste facility only if the solid waste is so contained as to prevent it from leaking, dripping, falling, blowing, or scattering from the vehicle in which it is being transported. The use of other vehicles used to transport solid waste shall comply with the provisions of Section 20.72.150 of this code.

E. On or before the tenth day of each quarter, the permittee shall submit legible copies of solid waste facility receipts to the enforcement agency demonstrating that solid waste has been transported at least once weekly during the previous quarter to an authorized solid waste facility, with exceptions provided for periods of at least seven consecutive days in which the property remains unoccupied. A written request for any exception must be submitted in advance to the enforcement agency. Failure to submit receipts shall be grounds for revocation or denial of a permit.

20.58.040 Violation and penalties.

A. A violation of this chapter constitutes an infraction. Any person who violates or fails to comply with any provision of this chapter shall be subject to a civil penalty in the amount of \$100 for the first violation, \$250 for the second violation of the same provision of this chapter within one year after the first violation, and \$500 for each additional violation of the same provision of this chapter within one year after the first

violation. Each day that a person fails to comply with this chapter shall constitute a separate violation. Penalties under this chapter are in addition to, and do not supersede or limit, any and all penalties or remedies provided by this code or applicable law.

20.58.050 Inspection of premises.

An authorized representative of the enforcement agency may inspect any premises to investigate compliance with the provisions of this Division 4 and applicable state laws and regulations. All inspections shall be consistent with Section 20.80.010 of this code.

20.58.060 Denial or revocation of self-hauler permit.

A. If an application for a self-hauler permit is denied by the enforcement agency for failure to comply with the provisions of this Division 4, the applicant will be provided with a full statement of the reasons for the denial.

B. A permit may be revoked by the enforcement agency for failure to comply with the provisions of this Division 4 or any applicable laws by providing the permittee with a written statement of the violations noted.

20.58.070 Appeal of self-hauler permit denial or revocation.

A denial or revocation of a self-hauler permit may be appealed to the director of public health, or his authorized representative, whose decision shall be final. Such appeal shall be filed with the director of public health within ten days after receipt of the enforcement agency's written notice of a denial or revocation.

SECTION 7. Section 20.64.010 is hereby amended to read as follows:

20.64.010 Permit - Required.

Every owner or operator of a solid-waste facility, every self-hauler located within the High Desert Area, and every waste collector shall obtain permits from the enforcement agency in the manner prescribed by this Division 4.

SECTION 8. Section 20.64.040 is hereby amended to read as follows:

20.64.040 Waste collector and self-hauler permits - Application requirements.

Application for a waste collector permit or a self-hauler permit shall be filed in duplicate with the enforcement agency on a form provided by the agency. The information provided in the application shall be certified by the applicant as being true and accurate. The enforcement agency may require additional information as authorized by law. ~~No application fee is required.~~

SECTION 9. Section 20.64.100 is hereby amended to read as follows:

20.64.100 Issuance conditions.

Upon approval by the enforcement agency of an application for a solid-waste facility permit, ~~or a waste-collector permit,~~ or a self-hauler permit, the enforcement agency shall by appropriate notation upon the face of each application, cause such permits to be issued by the treasurer-tax collector upon payment to the treasurer-tax collector of the fee prescribed in Section 20.64.110.

SECTION 10. Section 20.64.110 is hereby amended to read as follows:

20.64.110 Permit and regulatory service fees.

Every solid waste facility operator, waste collector, self-hauler, or small volume transfer station operator must pay the following fees to the enforcement agency:

A. Waste collector:

- | | | |
|----|----------------------------------------------------|----------|
| 1. | Permit application fee | No fee |
| 2. | Regulatory service fees, <u>payable annually</u> : | |
| a. | Each business | \$958.00 |
| b. | Each waste collection vehicle | 63.00 |

~~The above fees are to be paid annually.~~

B. Self-hauler:

Permit application and regulatory service fees:

<u>each property served</u>	<u>No fee</u>
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C. Solid waste facility:

- | | | |
|----|-----------------------------------------------------|--------------|
| 1. | Permit application fees: | |
| a. | New application | 951.00 |
| b. | Application to revise or modify | |
| | existing permit | 951.00 |
| 2. | Regulatory service fees: | |
| a. | Disposal site or facility, <u>payable monthly</u> : | |
| i. | Where specific tonnages of waste | |
| | are measured | 0.20 per ton |

ii. Where weight of waste is not measured
in tonnage 0.018 per cubic
yard

b. Transfer/processing station, payable monthly:

i. Where specific tonnages of waste
are measured 0.20 per ton

ii. Where weight of waste is not measured
in tonnage 0.018 per cubic
yard

~~The above regulatory fees are to be paid monthly.~~

c. Small volume transfer station, payable
annually 1,432.00

i. ~~Permit application fees:~~

(A) ~~New applications~~ 951.00

(B) ~~Application to revise or~~
~~modify existing permit~~ 951.00

ii. ~~Regulatory services fee~~ 1,432.00

~~The above regulatory services fee is to be paid annually.~~

SECTION 11. Section 20.64.125 is hereby amended to read as follows:

20.64.125 Term of waste collector and self-hauler permits.

The term of a waste collector permit or a self-hauler permit shall be one year
from the date of its issuance, ~~except that the term of any unexpired waste collector~~

~~permit validly issued prior to the effective date of the ordinance codified in this section shall be one year from such effective date.~~

SECTION 12. Section 20.72.140 is hereby amended to read as follows:

20.72.140 Disposal of collected materials.

~~A. — All solid waste collected or transported upon or along any public highway by waste collectors in the unincorporated area of Los Angeles County shall be disposed of at a solid waste facility where such waste can legally be accepted.~~

B. — At such time as one or more transfer stations have become available for the transfer of solid wastes to railroad trains for transport to disposal sites or transformation facilities located outside the county, as such terms are defined in subsections B, G and I of Section 20.88.020 of this code, the county shall have the right to require that all or portions of all solid wastes collected within the unincorporated areas of the county shall be either recycled or transported to disposal sites or transformation facilities located outside the county of Los Angeles. This requirements shall only be applicable to new waste collector permits, including renewals. Further, a waste collector shall only be required to utilize a transfer station that is reasonably convenient and available to the waste collector.

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